

<b>AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT</b>				1. Contract ID Code Firm-Fixed-Price		Page 1 Of 15	
2. Amendment/Modification No.  0003		3. Effective Date  2003APR14		4. Requisition/Purchase Req No.  SEE SCHEDULE		5. Project No. (If applicable)	
6. Issued By HQ JMC AMSOS-CCM-E PAT LOOTENS (309)782-5936 ROCK ISLAND, IL 61299-6000 BLDG 350 EMAIL: LOOTENSP@OSC.ARMY.MIL		Code W52P1J		7. Administered By (If other than Item 6) Code			
				SCD PAS ADP PT			
8. Name And Address Of Contractor (No., Street, City, County, State and Zip Code)				<input checked="" type="checkbox"/>		9A. Amendment Of Solicitation No.  DAAA09-02-R-0069	
				<input type="checkbox"/>		9B. Dated (See Item 11) 2003FEB28	
				<input type="checkbox"/>		10A. Modification Of Contract/Order No.	
				<input type="checkbox"/>		10B. Dated (See Item 13)	
Code		Facility Code					
<b>11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS</b>							
<input checked="" type="checkbox"/> The above numbered solicitation is amended as set forth in item 14. The hour and date specified for receipt of Offers <input type="checkbox"/> is extended, <input checked="" type="checkbox"/> is not extended. Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended by one of the following methods: (a) By completing items 8 and 15, and returning <u>2 signed</u> copies of the amendments: (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. <b>FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER.</b> If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.							
12. Accounting And Appropriation Data (If required)							
<b>13. THIS ITEM ONLY APPLIES TO MODIFICATIONS OF CONTRACTS/ORDERS</b> It Modifies The Contract/Order No. As Described In Item 14.							
<input type="checkbox"/>		A. This Change Order is Issued Pursuant To: The Changes Set Forth In Item 14 Are Made In The Contract/Order No. In Item 10A.					
<input type="checkbox"/>		B. The Above Numbered Contract/Order Is Modified To Reflect The Administrative Changes (such as changes in paying office, appropriation data, etc.) Set Forth In Item 14, Pursuant To The Authority of FAR 43.103(b).					
<input type="checkbox"/>		C. This Supplemental Agreement Is Entered Into Pursuant To Authority Of:					
<input type="checkbox"/>		D. Other (Specify type of modification and authority)					
E. IMPORTANT: Contractor <input type="checkbox"/> is not, <input type="checkbox"/> is required to sign this document and return _____ copies to the Issuing Office.							
14. Description Of Amendment/Modification (Organized by UCF section headings, including solicitation/contract subject matter where feasible.)  SEE SECOND PAGE FOR DESCRIPTION							
<p>Except as provided herein, all terms and conditions of the document referenced in item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.</p>							
15A. Name And Title Of Signer (Type or print)				16A. Name And Title Of Contracting Officer (Type or print)			
15B. Contractor/Offeror  _____ (Signature of person authorized to sign)		15C. Date Signed		16B. United States Of America  By _____ /SIGNED/ (Signature of Contracting Officer)		16C. Date Signed	
NSN 7540-01-152-8070 PREVIOUS EDITIONS UNUSABLE				30-105-02		STANDARD FORM 30 (REV. 10-83) Prescribed by GSA FAR (48 CFR) 53.243	

Name of Offeror or Contractor:

SECTION A - SUPPLEMENTAL INFORMATION

NSN: 1376-00-628-3333 (ML51)  
ITEM: TRINITROTOLUENE (TNT), TYPE I, FLAKE

NSN: 1376-01-479-1067 (ML49)  
ITEM: TRINITROTOLUENE (TNT), TYPE III, RECLAIMED

1. THE PURPOSE OF THIS ACTION IS TO AMEND REQUEST FOR PROPOSAL (RFP) NUMBER DAAA09-02-R-0069 AS FOLLOWS:

(A) REVISED TNT PRICING TEMPLATES:

(1) REVISED TNT PRICING TEMPLATES ARE HEREIN INCORPORATED - SEE SECTION J. THIS MODEL REPLACES THE PREVIOUSLY-REFERENCED PRICING TEMPLATES AS PROVIDED UNDER AMENDMENT 0001, AT ATTACHMENT 0024. THE REVISED TNT PRICING TEMPLATES, I.E. ATTACHMENT 027, SHALL BE INCORPORATED INTO THE OFFEROR'S COST/PRICE VOLUME, WITH NO ALTERNATIVE PRICING MODELS AUTHORIZED;

(2) THE CONTRACT PRICE STRUCTURE EXECUTION SAMPLE AS INITIALLY PROVIDED UNDER AMENDMENT 0001, AT ATTACHMENT 0024, REMAINS UNCHANGED AND IS INCLUDED AS PART OF ATTACHMENT 027; AND

(3) REVISED INSTRUCTIONS PROVIDED IN SUPPORT OF COMPLETION OF THE TNT PRICING TEMPLATES ARE INCORPORATED HEREIN - SEE SECTION J. SAID REVISION REPLACES THE PREVIOUSLY-REFERENCED INSTRUCTIONS AS PROVIDED UNDER AMENDMENT 0001, AT ATTACHMENT 0025.

(B) AS A RESULT OF THE INCORPORATION OF REVISED TNT PRICING TEMPLATES AND INSTRUCTIONS, CORRESPONDING CHANGES HAVE BEEN INCORPORATED INTO SECTIONS L AND M.

2. EXCEPT AS PROVIDED HEREIN, THE REMAINING TERMS AND REQUIREMENTS OF THE AFOREMENTIONED SOLICITATION REMAIN UNCHANGED AND IN FULL FORCE AND EFFECT.

\*\*\* END OF NARRATIVE A 004 \*\*\*

Name of Offeror or Contractor:

SECTION J - LIST OF ATTACHMENTS

<u>List of</u> <u>Addenda</u>	<u>Title</u>	<u>Date</u>	<u>Number</u> <u>of Pages</u>	<u>Transmitted By</u>
Attachment 027	TNT PRICING TEMPLATES		013	
Attachment 028	INSTRUCTIONS FOR COMPLETION OF TNT TEMPLATES (REVISION 2)		010	

<p style="text-align: center;"><b>CONTINUATION SHEET</b></p>	<p style="text-align: center;"><b>Reference No. of Document Being Continued</b></p> <p style="text-align: center;">PIIN/SIIN DAAA09-02-R-0069      MOD/AMD 0003</p>	<p style="text-align: center;"><b>Page   4   of   15</b></p>
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**Name of Offeror or Contractor:**

SECTION L - INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

L-1      INSTRUCTIONS AND CONDITIONS FOR SUBMISSION OF PROPOSALS

1. SUBMISSIONS OF PROPOSALS:

A. THE PROPOSAL SHALL CONSIST OF THE FOLLOWING:

(1) ONE (1) EXECUTED AND COMPLETED COPY OF THE SOLICITATION, TO INCLUDE ALL REQUISITE REPRESENTATIONS/CERTIFICATIONS AND OTHER INFORMATION TO BE PROVIDED BY THE OFFEROR;

(2) MANAGEMENT/TECHNICAL PLAN VOLUME (TOTAL FIVE (5) COPIES);

(3) COST/PRICE VOLUME (TOTAL FIVE (5) COPIES) AND TWO (2) SINGLE-WRITE CD ROMs THAT ARE COMPATIBLE WITH MICROSOFT WINDOWS OFFICE 1998;

(4) PAST PERFORMANCE VOLUME (TOTAL FIVE (5) COPIES);

(5) SMALL BUSINESS (SB) UTILIZATION PLAN (TOTAL THREE (3) COPIES);

(6) FINANCIAL RESPONSIBILITY INFORMATION (THREE (3) COPIES). FINANCIAL RESPONSIBILITY INFORMATION MAY ALSO BE INCLUDED AS PART OF THE COST/PRICE VOLUME'S SINGLE-WRITE CD ROM; AND

(7) A CD ROM OR 100MB ZIP DISK THAT IS COMPATIBLE WITH MICROSOFT WINDOWS OFFICE 1998 AND THAT CONTAINS THE OFFEROR'S COMPLETE PROPOSAL IN AN ELECTRONIC FORMAT.

B. THE COMPLETE PROPOSAL, INCLUDING ALL COPIES OF THE MANAGEMENT/TECHNICAL PLAN, COST/PRICE VOLUME, PAST PERFORMANCE VOLUME, SMALL BUSINESS (SB) UTILIZATION PLAN AND FINANCIAL RESPONSIBILITY INFORMATION, ALONG WITH AN EXECUTED COPY OF THIS SOLICITATION, SHALL BE FORWARDED TO THE FOLLOWING ADDRESS:

HQ, US ARMY JOINT MUNITIONS COMMAND  
AMMUNITION & INSTALLATION CONTRACTING DIVISION  
AMSJM-CCA-R/MR. SEAN O'REILLY  
1 ROCK ISLAND ARSENAL  
ROCK ISLAND, IL 61299-6000

2. PREPARATION INSTRUCTIONS FOR THE MANAGEMENT/TECHNICAL PLAN, COST/PRICE VOLUME, PAST PERFORMANCE VOLUME, SMALL BUSINESS (SB) UTILIZATION PLAN AND FINANCIAL RESPONSIBILITY INFORMATION:

A. FORMAT: THE OFFEROR'S MANAGEMENT/TECHNICAL PLAN, COST/PRICE VOLUME, PAST PERFORMANCE VOLUME, SMALL BUSINESS (SB) UTILIZATION PLAN AND FINANCIAL RESPONSIBILITY INFORMATION SHALL BE SUBMITTED IN SEVERABLE PARTS. INFORMATION THE OFFEROR MAY WANT THE GOVERNMENT TO CONSIDER, SPECIFIC TO EACH VOLUME, SHALL BE CONFINED TO THAT VOLUME. OFFERORS ARE CAUTIONED THAT FAILURE TO INCLUDE THE REQUESTED INFORMATION IN THE APPLICABLE VOLUME MAY RESULT IN THE INFORMATION NOT BEING CONSIDERED AND THE PROPOSAL BEING DOWNGRADED ACCORDINGLY. EACH VOLUME SHALL BE TREATED INDEPENDENTLY.

VOLUME I	MANAGEMENT/TECHNICAL PLAN
VOLUME II	COST/PRICE
VOLUME III	PAST PERFORMANCE
VOLUME IV	SMALL BUSINESS (SB) UTILIZATION PLAN
VOLUME V	FINANCIAL RESPONSIBILITY INFORMATION

B. EACH VOLUME SHALL BE CONSISTENT WITH COMPLETE SUBMISSION. OFFERORS ARE CAUTIONED THAT INCORPORATION OF INFORMATION BY REFERENCE IS NOT ALLOWED. INCLUSION OF A FIVE (5) PAGE EXECUTIVE SUMMARY OF THE OFFEROR'S PROPOSAL SHALL BE AUTHORIZED; THIS SUMMARY SHALL NOT COUNT AGAINST THE PAGE NUMBER LIMITATION DESCRIBED BELOW. FOR VOLUME I (MANAGEMENT/TECHNICAL PLAN), THE OFFEROR'S SUBMISSION SHALL BE LIMITED TO ONE HUNDRED (100) PAGES IN TOTAL. PAGE SIZE SHALL NOT EXCEED 8 1/2 X 11 INCHES, WITH USE OF FOLD-OUT PAGES AUTHORIZED. OFFERORS ARE RESPONSIBLE FOR INCLUDING SUFFICIENT DETAILS TO PERMIT A COMPLETE AND ACCURATE EVALUATION OF THE PROPOSAL. THE GOVERNMENT WILL NOT MAKE ANY ASSUMPTION(S) CONCERNING THE OFFEROR'S INTENT, CAPABILITIES, EXPERIENCE, ETC.

3. SPECIFIC INSTRUCTIONS BY VOLUME: IN ORDER FOR THE OFFEROR'S PROPOSAL TO BE ACCEPTABLE, IT MUST REFLECT A COMPLETE UNDERSTANDING OF THE SOLICITATION AND DEMONSTRATE THE CAPABILITY TO PERFORM THE OVERALL EFFORT IN ACCORDANCE WITH THE SOLICITATION. AN INDEX SHALL BE INCLUDED IN EACH VOLUME WITH NARRATIVE TITLE CROSS-REFERENCED TO THE APPLICABLE PARAGRAPHS OF THIS SECTION. DISCUSSIONS TEXT SHALL BE IDENTIFIED BY THE SAME TITLE. THE OFFEROR SHALL SUBMIT A MANAGEMENT/TECHNICAL PLAN, COST/PRICE VOLUME, PAST PERFORMANCE VOLUME, SMALL BUSINESS (SB) UTILIZATION PLAN

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**Name of Offeror or Contractor:**

AND FINANCIAL RESPONSIBILITY INFORMATION ADDRESSING THE FOLLOWING ELEMENTS:

A. FACTOR: MANAGEMENT/TECHNICAL PLAN: RATINGS WILL BE APPLIED TO THE MANAGEMENT/TECHNICAL PLAN AS SUBMITTED TO DETERMINE THE OFFEROR'S ABILITY TO MEET THE GOVERNMENT'S REQUIREMENT FOR TRINITROTOLUENE (TNT), TO BE MEASURED UNDER THE FOLLOWING SUBFACTORS AND ELEMENTS THEREIN:

- (1) SUBFACTOR: PROGRAM MANAGEMENT PLAN;
- (2) SUBFACTOR: VIRGIN TNT FROM A NATIONAL TECHNOLOGY AND INDUSTRIAL BASE (NTIB) FACILITY:
  - (A) ELEMENT: OVERALL PLAN FOR ESTABLISHING FACILITY;
  - (B) ELEMENT: PROCESS TO BE EMPLOYED; AND
  - (C) ELEMENT: PROCESS QUALITY CONTROL.
- (3) SUBFACTOR: RECLAIMED TNT:
  - (A) ELEMENT: OVERALL RECLAMATION PLAN;
  - (B) ELEMENT: PROCESS TO BE EMPLOYED; AND
  - (C) ELEMENT: PROCESS QUALITY CONTROL.
- (4) SUBFACTOR: VIRGIN TNT FROM A FOREIGN SOURCE.

- B. FACTOR: COST/PRICE:
- (1) WITH RESPECT TO PRICING, THE PROPOSAL RESPONSE IS PRESUMED TO REPRESENT THE OFFEROR'S BEST EFFORT TO RESPOND TO THE SOLICITATION. ANY INCONSISTENCY, WHETHER REAL OR APPARENT, BETWEEN PROMISED PERFORMANCE AND PRICE SHALL BE EXPLAINED IN THE PROPOSAL. FOR EXAMPLE, IF THE USE OF NEW AND INNOVATIVE TECHNIQUES ARE INTENDED, THEIR IMPACT UPON PRICE SHALL BE EXPLAINED. IF A BUSINESS POLICY DECISION HAS BEEN MADE TO ABSORB A PORTION OF THE PROGRAM COSTS THAT HAVE NOT BEEN INCLUDED IN YOUR PROPOSED PRICING, THAT DECISION SHALL BE STATED AND QUANTIFIED IN THE PROPOSAL. ANY SIGNIFICANT INCONSISTENCY, IF UNEXPLAINED, RAISES A FUNDAMENTAL ISSUE OF THE OFFEROR'S UNDERSTANDING OF THE NATURE AND SCOPE OF THE WORK REQUIRED, AND MAY BE GROUNDS FOR REJECTION OF THE PROPOSAL. THE BURDEN OF PROOF AS TO PRICE CREDIBILITY RESTS WITH THE OFFEROR; AND
  - (2) ALL PRICES AND EXPENDITURE PROFILES FOR THIS ACQUISITION SHALL BE STATED IN CURRENT DOLLARS (CURRENT DOLLARS SHOULD BE INTERPRETED TO INCLUDE ESCALATION WHERE APPROPRIATE.).

- C. FACTOR: PAST PERFORMANCE: RATINGS WILL BE APPLIED TO THE FOLLOWING SUBFACTORS OF PAST PERFORMANCE BASED UPON THE INFORMATION AS SUBMITTED BY EACH OFFEROR:
- (1) SUBFACTOR: ON-TIME DELIVERY;
  - (2) SUBFACTOR: QUALITY; AND
  - (3) SUBFACTOR: CUSTOMER SATISFACTION.

- D. FACTOR: SMALL BUSINESS (SB) UTILIZATION PLAN: A RATING WILL BE ASSIGNED TO EACH OFFEROR'S (SB, LARGE BUSINESS AND FOREIGN) PROPOSAL. THIS RATING CONSIDERS BOTH THE SUBFACTOR OF PROPOSED SB UTILIZATION AND THE SUBFACTOR OF THE LIKELIHOOD OF ATTAINING THAT PARTICIPATION BASED ON THE OFFEROR'S SB UTILIZATION PAST PERFORMANCE. OFFERORS THAT HAVE (1) NO EXPERIENCE OVER THE PAST THREE (3) YEARS USING SBs AND/OR HISTORICALLY BLACK COLLEGES, UNIVERSITIES AND MINORITY INSTITUTIONS (HBCU/MIs); AND/OR (2) NO CONTRACTUAL PERFORMANCE OVER THE PAST THREE (3) YEARS WHICH REQUIRED COMPLIANCE WITH FAR 52.219-8 OR FAR 52.219-9, WILL BE TREATED NEITHER FAVORABLY NOR UNFAVORABLY; AND
- E. FINANCIAL RESPONSIBILITY INFORMATION: THE COST/PRICE PROPOSAL SHALL INCLUDE INFORMATION THAT ADDRESSES FINANCIAL CAPABILITY (WRITTEN FINANCIAL DATA ONLY). THE CONTRACTOR SHALL PROVIDE, FOR ITSELF AND ITS MAJOR SUBCONTRACTORS, FINANCIAL INFORMATION SUFFICIENT TO ALLOW THE GOVERNMENT TO MAKE A DETERMINATION AS TO THE COMPANY'S FINANCIAL CONDITION.

4. BASIS FOR AWARD:
- A. A BEST VALUE, COMPETITIVE, FIRM FIXED-PRICE (FFP) CONTRACT IS CONTEMPLATED FOR AWARD. THE SOLICITATION IS

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RESTRICTED TO UNITED STATES AND CANADIAN SOURCES. HOWEVER, THIS DOES NOT PRECLUDE FOREIGN CONCERNS FROM SUBMITTING A PROPOSAL, PROVIDED, THAT THEY WILL ESTABLISH, MAINTAIN AND OPERATE A VIRGIN TNT PRODUCTION FACILITY IN THE NTIB (UNITED STATES AND CANADA);

B. AWARD WILL BE MADE TO THE RESPONSIVE, RESPONSIBLE OFFEROR WHOSE MANAGEMENT/TECHNICAL PLAN, COST/PRICE PROPOSAL, PAST PERFORMANCE INFORMATION AND SMALL BUSINESS UTILIZATION PLAN PROVIDES THE BEST VALUE TO THE GOVERNMENT; AND

C. FOR THE PURPOSE OF THIS ACQUISITION, "OFFEROR" IS DEFINED AS A PRIME CONTRACTOR, SUBCONTRACTORS, JOINT VENTURES, LIMITED LIABILITY COMPANIES (LLCs) AND OTHER SIMILAR ENTITIES. FOR PURPOSES OF THIS EVALUATION, A MAJOR SUBCONTRACTOR SHALL BE DEFINED AS RECEIVING SUBCONTRACTS IN EXCESS OF \$550,000.00 OVER A SINGLE PROGRAM YEAR, ANY YEAR, FOR EITHER OF THE ACQUISITION APPROACHES, I.E. MULTI-YEAR OR MULTIPLE YEAR.

5. INFORMATION TO BE SUBMITTED BY OFFERORS:

A. FACTOR: MANAGEMENT/TECHNICAL PLAN: DESCRIBE THE OVERALL PLAN FOR MEETING THE KEY OBJECTIVES OF THIS SOLICITATION, TO BE DESCRIBED UNDER THE FOLLOWING SUBFACTORS:

(1) SUBFACTOR: PROGRAM MANAGEMENT PLAN: PROVIDE A FIVE (5) YEAR MASTER SCHEDULE THAT DETAILS, BY MONTH, THE METHOD FOR SUPPLYING TNT, WITH SOURCES OF SUPPLY TO BE IDENTIFIED; EACH OF THE PROPOSED QUANTITY RANGES SHALL BE ADDRESSED. INCLUDE INFORMATION ABOUT THE PROPOSED SOURCE(S) OF SUPPLY, I.E. THE COMPANY, AND KEY MANAGEMENT PERSONNEL. DESCRIBE YOUR RISK MANAGEMENT APPROACH TO IDENTIFY AND MITIGATE POTENTIAL RISKS ASSOCIATED WITH THE MANAGEMENT/TECHNICAL FACTOR, E.G. LONG-LEADTIME ITEMS, SINGLE SOURCES, ETC.

(2) SUBFACTOR: VIRGIN TNT FROM AN NTIB FACILITY:

(A) ELEMENT: OVERALL PLAN FOR ESTABLISHING FACILITY: STATE THE LOCATION OF THE FACILITIES INVOLVED, TO INCLUDE ALL CONTRACT AND SUBCONTRACT SOURCES; DEPICT THE SCHEDULE OF ACTIVITIES (BY MONTH) FROM CONTRACT AWARD DATE TO PRODUCT DELIVERY. THIS SHOULD DESCRIBE THE INTEGRATION OF ALL DIVERSE TASKS AND MILESTONES TO INCLUDE A CRITICAL PATH ANALYSIS THAT MUST BE SUCCESSFULLY COMPLETED ALONG WITH OTHER REQUISITE SOURCES; IDENTIFY THE REQUIRED PERMITS. DESCRIBE PLAN TO OBTAIN ALL REGULATORY (LOCAL, STATE AND FEDERAL) REQUIRED DOCUMENTS (PERMITS, LICENSES, ETC.) NECESSARY TO OPERATE AND PRODUCE TNT; FLEXIBILITY OF THE PROPOSED FACILITY TO PRODUCE OTHER ENERGETIC MATERIALS; AND DETAIL YOUR AND YOUR SUBCONTRACTOR'S EXPERIENCE TO PRODUCE VIRGIN ENERGETICS, PARTICULARLY TNT;

(B) ELEMENT: PROCESS TO BE EMPLOYED: THE OFFEROR SHALL INCLUDE DETAILS WITH RESPECT AS TO HOW SAID FACILITY WILL BE OPERATIONAL WITHIN THIRTY-SIX (36) MONTHS AFTER CONTRACT AWARD; DESCRIBE FROM CRADLE TO GRAVE, THE PROCESS THAT WILL BE USED TO MANUFACTURE VIRGIN TNT, E.G. CONTINUOUS, BATCH, COUNTER-FLOW, TO INCLUDE PRECURSORS, E.G. MNT, DNT, ETC.; IDENTIFY FACILITIES AND EQUIPMENT; IDENTIFY CRITICAL SKILLS: HIRING/RETENTION/REPLACEMENT; MAINTENANCE PROGRAM; LINE CAPACITY; DESCRIBE THE ITEMS/CHARACTERISTICS THAT ARE CONSIDERED CRITICAL TO SAFETY AND THE MEASURES TO BE EMPLOYED THAT WILL MITIGATE/ELIMINATE THE HAZARDS; SECURITY ATTRIBUTES; RAW MATERIAL SOURCES, I.E. IN-HOUSE MANUFACTURE, VENDOR RELATIONSHIPS, RELIABILITY, CAPACITY, ETC., LONG-LEADTIME AND SINGLE SOURCE ITEMS; AND WASTE HANDLING TREATMENT, E.G. REMOVAL OFF-SITE, ON-SITE TREATMENT; AND

(C) ELEMENT: PROCESS QUALITY CONTROL: DESCRIBE PLAN TO PROVIDE CONSISTENT TNT QUALITY MEETING THE REQUIREMENTS OF MIL-DTD-248D; DESCRIBE APPROACH TO REDUCE AND/OR MITIGATE ANY NON-COMPLIANT LOTS; IDENTIFY QUALITY CERTIFICATIONS, SAMPLING PROCEDURES, INSPECTION AND TESTING EQUIPMENT/TECHNIQUES TO BE EMPLOYED. IDENTIFY APPLICABLE DATES AND AUTHORITIES; AND IDENTIFY PROCESS SAFETY ATTRIBUTES TO PROTECT PEOPLE AND EQUIPMENT IN ORDER TO MAINTAIN PROCESS INTEGRITY.

(3) SUBFACTOR: RECLAIMED TNT:

(A) ELEMENT: OVERALL RECLAMATION PLAN: STATE THE LOCATION OF THE FACILITIES INVOLVED, TO INCLUDE ALL CONTRACT AND SUBCONTRACT SOURCES; DEPICT THE SCHEDULE OF ACTIVITIES (BY MONTH) FROM CONTRACT AWARD DATE TO PRODUCT DELIVERY. THIS SHOULD DESCRIBE THE INTEGRATION OF ALL DIVERSE TASKS AND MILESTONES TO INCLUDE A CRITICAL PATH ANALYSIS THAT MUST BE SUCCESSFULLY COMPLETED ALONG WITH OTHER REQUISITE SOURCES; IDENTIFY THE REQUIRED PERMITS. DESCRIBE PLAN TO OBTAIN ALL REGULATORY (LOCAL, STATE AND FEDERAL) REQUIRED DOCUMENTS (PERMITS, LICENSES, ETC.) NECESSARY TO OPERATE AND SUPPLY RECLAIMED TNT; AND DETAIL RECLAMATION EXPERIENCE OF THE OFFEROR AND ITS SUBCONTRACTORS;

(B) ELEMENT: PROCESS TO BE EMPLOYED: THE OFFEROR SHALL INCLUDE DETAILS WITH RESPECT AS TO WHEN THE FACILITY WILL BE OPERATIONAL; DESCRIBE FROM CRADLE TO GRAVE, THE PROPOSED PROCESS TO BE EMPLOYED TO EXTRACT TNT FROM THE SOURCE MATERIAL; IDENTIFY FACILITIES AND EQUIPMENT; IDENTIFY CRITICAL SKILLS: HIRING/RETENTION/REPLACEMENT; MAINTENANCE PROGRAM; LINE CAPACITY; DESCRIBE THE ITEMS/CHARACTERISTICS THAT ARE CONSIDERED CRITICAL TO SAFETY AND THE MEASURES TO BE EMPLOYED THAT WILL MITIGATE/ELIMINATE THE HAZARDS; SECURITY ATTRIBUTES; IDENTIFY THE PROPOSED TYPE OF GOVERNMENT-FURNISHED MATERIAL (GFM) TO BE USED; AND WASTE HANDLING TREATMENT, E.G. REMOVAL OFF-SITE, ON-SITE

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TREATMENT. THE OFFEROR SHALL SUBMIT ONE (1) FIFTY (50) POUND SAMPLE OF RECLAIMED TNT THAT ORIGINATES FROM THEIR PROPOSED RECLAMATION PROCESS, WITH SUBMISSION OF THIS PROCESS DEMONSTRATION SAMPLE TO BE ACCOMPLISHED PRIOR TO, OR CONCURRENT WITH, SUBMISSION OF THE MANAGEMENT/TECHNICAL VOLUME, I.E. APRIL 21, 2003. SUBMITTAL OF THE ONE (1) FIFTY (50) POUND PROCESS DEMONSTRATION SAMPLE SHALL BE COORDINATED WITH THE FOLLOWING OFFICE:

US ARMY TANK-AUTOMOTIVE AND ARMAMENT COMMAND(TACOM)  
 ARMAMENT RESEARCH DEVELOPMENT & ENGINEERING CENTER (ARDEC)  
 PICATINNY ARSENAL, NJ 07806-5000  
 ATTN: MR RAFAEL ACEVEDO/AMSTA-AR-WEA/EMCN# A24/TEL 973.724.4391

(C) ELEMENT: PROCESS QUALITY CONTROL: DESCRIBE PLAN TO PROVIDE CONSISTENT TNT QUALITY MEETING THE REQUIREMENTS OF MIL-DTD-248D; DESCRIBE APPROACH TO REDUCE AND/OR MITIGATE ANY NON-COMPLIANT LOTS; IDENTIFY QUALITY CERTIFICATIONS, SAMPLING PROCEDURES, INSPECTION AND TESTING EQUIPMENT/TECHNIQUES TO BE EMPLOYED. IDENTIFY APPLICABLE DATES AND AUTHORITIES; AND IDENTIFY PROCESS SAFETY ATTRIBUTES TO PROTECT PEOPLE AND EQUIPMENT IN ORDER TO MAINTAIN PROCESS INTEGRITY.

(4) SUBFACTOR: VIRGIN TNT FROM A FOREIGN SOURCE: STATE THE LOCATION OF THE FACILITIES INVOLVED, TO INCLUDE ALL CONTRACT AND SUBCONTRACT SOURCES; DEPICT THE SCHEDULE OF ACTIVITIES (BY MONTH) FROM CONTRACT AWARD DATE TO PRODUCT DELIVERY. THIS SHOULD DESCRIBE THE INTEGRATION OF ALL DIVERSE TASKS AND MILESTONES TO INCLUDE A CRITICAL PATH ANALYSIS THAT MUST BE SUCCESSFULLY COMPLETED ALONG WITH OTHER REQUISITE SOURCES; REQUIRED LICENSING/REGULATORY DOCUMENTS NEEDED TO PURCHASE AND TRANSPORT FROM A FOREIGN SOURCE; PROVIDE INFORMATION RELATIVE TO PROCESS QUALITY CONTROL, TO INCLUDE PLAN TO PROVIDE CONSISTENT TNT QUALITY THAT SATISFIES THE REQUIREMENTS OF MIL-DTD-248D AND IDENTIFICATION OF QUALITY CERTIFICATIONS, SAMPLING PROCEDURES, INSPECTION AND TESTING EQUIPMENT/TECHNIQUES TO BE EMPLOYED;

**B. FACTOR: COST/PRICE:**

(1) COMPLETE AND SUBMIT UNIT PRICES IN ACCORDANCE WITH SECTION B OF THE SOLICITATION; AND

(2) COMPLETE THE PRICING MODEL, I.E. TNT PRICING TEMPLATES, AS PROVIDED AT ATTACHMENT 027 OF THE SOLICITATION (SEE SECTION J) AND INCLUDE AS A PART OF THE COST/PRICE VOLUME. INSTRUCTIONS FOR THE COMPLETION OF THE TNT PRICING MODEL ARE SPECIFIED AT ATTACHMENT 028 OF THE SOLICITATION (SEE SECTION J). THIS INFORMATION SHALL BE USED FOR BOTH PROGRAM AND EVALUATION PURPOSES. IN THE EVENT THAT DISCREPANCIES EXIST BETWEEN THE SPREADSHEET MODEL AND THE HARD COPY PROPOSAL, THE SPREADSHEET MODEL SHALL TAKE PRECEDENCE.

**NOTE:**

FOR MULTI-YEAR PRICING, PROPOSED PRICES INCLUDED IN "TNT PRICING TEMPLATE", TAB "MULTI-YEAR", LINE LABELED "PRICING STRUCTURE": "LEVEL PRICING SUMMARY (CONTRACT UNIT PRICE)", SHALL CORRESPOND WITH THOSE PRICES AS PROPOSED IN SECTION B OF THE SOLICITATION, IF THE OFFEROR IS USING THE RANGES PROVIDED IN SECTION B. IF ALTERNATE RANGES ARE PROPOSED, OFFEROR PRICING SPECIFIED IN THIS AREA SHALL BE CONSIDERED SECTION B PRICING.

FOR MULTIPLE YEAR PRICING, PROPOSED PRICES INCLUDED IN "TNT PRICING TEMPLATE", TAB "MULTIPLE YEAR", LINE LABELED "PRICING STRUCTURE": "COMPOSITE PRICE PER LB (CONTRACT UNIT PRICE)", SHALL CORRESPOND WITH THOSE PRICES AS PROPOSED IN SECTION B OF THE SOLICITATION, IF THE OFFEROR IS USING THE RANGES PROVIDED IN SECTION B. IF ALTERNATE RANGES ARE PROPOSED, OFFEROR PRICING SPECIFIED IN THIS AREA SHALL BE CONSIDERED SECTION B PRICING.

**C. FACTOR: PAST PERFORMANCE:**

(1) THE GOVERNMENT WILL CONDUCT A PERFORMANCE EVALUATION BASED UPON THE PAST PERFORMANCE OF THE OFFERORS AND THEIR PROPOSED SUBCONTRACTORS AS IT RELATES TO THE PROBABILITY OF SUCCESSFUL ACCOMPLISHMENT OF THE WORK REQUIRED BY THE SOLICITATION. THE OFFEROR AND THEIR PROPOSED SUBCONTRACTORS SHALL SUBMIT A DESCRIPTION OF THEIR PREVIOUS GOVERNMENT (FEDERAL, STATE AND LOCAL) CONTRACTS (ALL PRIME AND MAJOR SUBCONTRACTS) RECEIVED, OR IN PERFORMANCE, DURING THE MOST RECENT PERIOD, WHICH ARE IN ANY WAY RELEVANT TO THE EFFORT REQUIRED BY THIS SOLICITATION. FOR PURPOSES OF THIS EVALUATION, "RECENT" SHALL BE DEFINED AS OCCURRING WITHIN THE LAST THREE (3) YEARS PRIOR TO THE SOLICITATION'S INITIAL CLOSING DATE, AND THAT TIME THAT TRANSPIRES BETWEEN THE SOLICITATION'S INITIAL CLOSING DATE AND THE DATE OF AWARD.

FOR PURPOSES OF THIS EVALUATION, "RELEVANT" SHALL BE DEFINED AS HAVING PRODUCED/SUPPLIED THE SAME OR SIMILAR ITEMS WITHIN FEDERAL SUPPLY CLASS (FSC) 1376, REQUIRING THE SAME OR SIMILAR MANUFACTURING PROCESSES, SKILLS AND ABILITIES; COMMERCIAL CONTRACTS MAY BE INCLUDED, IF NECESSARY. THE DESCRIPTION TO BE PROVIDED SHALL INCLUDE THE FOLLOWING INFORMATION:

(A) CONTRACT NUMBER(S);

(B) THE OFFEROR IS RESPONSIBLE FOR PROVIDING ACCURATE NAMES AND PHONE/FAX NUMBERS OF TWO (2) POINTS OF CONTACT (CONTRACTING OFFICER/TECHNICAL POINT OF CONTACT) AT THE FEDERAL, STATE, LOCAL GOVERNMENT OR COMMERCIAL ENTITY FOR WHICH THE CONTRACT/EFFORT WAS PERFORMED. IT IS IMPERATIVE THAT THE OFFEROR PROVIDE ACCURATE AND UP-TO-DATE

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REFERENCES - FAILURE TO DO SO MAY RESULT IN A NEUTRAL RATING;

- (C) PERIOD OF PERFORMANCE;
- (D) DOLLAR VALUE OF THE CONTRACT;
- (E) DETAILED DESCRIPTION OF THE WORK PERFORMED;
- (F) NAMES OF SUBCONTRACTOR(S) USED, IF ANY, AND A DESCRIPTION OF THE EXTENT OF WORK PERFORMED BY THE SUBCONTRACTOR(S); AND
- (G) THE NUMBER, TYPE AND SEVERITY OF ANY QUALITY, DELIVERY OR COST PROBLEMS IN PERFORMING THE CONTRACT, THE CORRECTIVE ACTION TAKEN AND THE EFFECTIVENESS OF THE CORRECTIVE ACTION.

(2) THE GOVERNMENT SHALL ASSESS RISKS ASSOCIATED WITH OFFEROR'S PAST PERFORMANCE IN THE FOLLOWING AREAS:

(A) SUBFACTOR: ON-TIME DELIVERY: THE OFFEROR WILL BE RATED BASED UPON ITS RECORD OF ON-TIME DELIVERY. INFORMATION TO BE PROVIDED BY THE OFFEROR WITH REGARD TO ITS RECENT, RELEVANT CONTRACTS WILL BE EVALUATED. THE OFFEROR MUST IDENTIFY AND PROVIDE INFORMATION ON DELIVERIES MADE, DELIVERIES SCHEDULED TO BE MADE, AND DELIVERIES RE-SCHEDULED TO BE MADE, DURING THE PERIOD OF RECENT PAST PERFORMANCE. PROVIDE ALL SUPPORTING DATA FOR VERIFICATION PURPOSES CONCERNING ALL OF THE FOREGOING-MENTIONED DELIVERIES EVEN THOUGH THE SUPPORTING INFORMATION MAY PRECEDE THE STATED PERIOD OF RECENT PAST PERFORMANCE;

(B) SUBFACTOR: QUALITY: THE OFFEROR WILL BE RATED BASED UPON ITS RECORD OF QUALITY ASSURANCE. INFORMATION TO BE PROVIDED BY THE OFFEROR WITH REGARD TO ITS RECENT, RELEVANT CONTRACTS WILL BE EVALUATED. EVIDENCE OF QUALITY AWARDS AND/OR QUALITY CERTIFICATIONS PRESENTED TO THE OFFEROR CAN BE SUBMITTED FOR CONSIDERATION. IN THE EVENT THAT INDICATION OF ANY QUALITY PROBLEMS ARE FOUND, THE OFFEROR'S PROCESS TO IMPROVE PRODUCT QUALITY WILL BE EVALUATED. THE OFFEROR WILL BE REQUIRED TO SUBMIT DATA EXPLAINING CORRECTIVE ACTION(S) IT HAS TAKEN TO IMPROVE ITS PROCESS AND/OR RESOLVE QUALITY PROBLEMS. THE OFFEROR WILL BE REQUIRED TO DISCLOSE INFORMATION ABOUT REQUEST FOR WAIVERS (RFWs), REQUEST FOR DEVIATIONS (RFDs), QUALITY DEFICIENCY REPORTS (QDRs), FIRST ARTICLE TEST (FAT) FAILURES, LOT ACCEPTANCE TEST (LAT) FAILURES, AND/OR OTHER PRODUCT QUALITY OF QUALITY PROGRAM-RELATED PROBLEMS. THE OFFEROR'S SUBMISSION MUST BE CLEAR AND CONCISE WHEN DESCRIBING ANY DEFICIENCY, STATING THE CORRECTIVE ACTION AND WHEN IT WAS IMPLEMENTED. THE GOVERNMENT WILL EVALUATE ALL QUALITY ISSUES IT DISCOVERS DURING THE PERIOD OF "RECENT PAST PERFORMANCE", REGARDLESS OF WHEN ACTUAL DELIVERY WAS MADE; AND

(C) SUBFACTOR: CUSTOMER SATISFACTION.

(3) EACH PERFORMANCE RISK ASSESSMENT OF THE AREAS LISTED ABOVE WILL CONSIDER THE NUMBER AND SEVERITY OF PROBLEMS, THE EFFECTIVENESS OF CORRECTIVE ACTIONS TAKEN AND THE OVERALL WORK RECORD. THE ASSESSMENT OF PERFORMANCE RISK IS NOT INTENDED TO BE THE PRODUCT OF A MECHANICAL OR MATHEMATICAL ANALYSIS OF AN OFFEROR'S PERFORMANCE ON A LIST OF CONTRACTS, BUT RATHER, THE PRODUCT OF SUBJECTIVE JUDGMENT OF THE EVALUATORS AFTER CONSIDERING ALL AVAILABLE, RELEVANT AND RECENT INFORMATION;

(4) THE GOVERNMENT WILL OBTAIN WHATEVER INFORMATION IT DEEMS MOST RELEVANT TO THE REQUIRED EFFORT BY TELEPHONIC AND/OR WRITTEN INQUIRY. THE GOVERNMENT INTENDS TO FORWARD A PERFORMANCE RISK QUESTIONNAIRE TO THOSE GOVERNMENT AND COMMERCIAL ACTIVITIES PROVIDED BY THE OFFEROR IN THEIR PROPOSAL; AND

(5) ANY OFFEROR THAT DOES NOT HAVE A RECORD OF RECENT, RELEVANT PAST PERFORMANCE WILL BE ASSIGNED A NEUTRAL PERFORMANCE RISK RATING. AN OFFEROR WITHOUT A RECORD OF RECENT, RELEVANT PAST PERFORMANCE OR FOR WHOM INFORMATION ON PAST PERFORMANCE IS NOT AVAILABLE, WILL NOT BE EVALUATED FAVORABLY OR UNFAVORABLY ON PAST PERFORMANCE.

D. FACTOR: SMALL BUSINESS (SB) UTILIZATION PLAN:

(1) ALL OFFERORS (SB, LARGE BUSINESS AND FOREIGN) ARE REQUIRED TO IDENTIFY THE EXTENT TO WHICH:

(A) SMALL BUSINESSES (SBs), VETERAN-OWNED SMALL BUSINESS (VOSB), SERVICE DISABLED VETERAN-OWNED SMALL BUSINESS (SDVOSB), SMALL DISADVANTAGED BUSINESS (SDB), WOMAN-OWNED SMALL BUSINESSES (WOSBs), HISTORICALLY UNDERUTILIZED BUSINESS ZONE (HUBZONE) SMALL BUSINESSES, HEREINAFTER ALL REFERRED TO AS SBs, WILL BE UTILIZED IN THE PERFORMANCE OF THE PROPOSED CONTRACT; AND

(B) HISTORICALLY BLACK COLLEGES, UNIVERSITIES AND MINORITY INSTITUTIONS (HBCU/MIs) WILL BE UTILIZED IN THE PERFORMANCE OF THE PROPOSED CONTRACT.

(2) FOR SBs, AS IDENTIFIED BY THE SIZE STANDARD FOR THE NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM (NAICS) CODE APPLICABLE TO THIS SOLICITATION, THE OFFEROR'S OWN PARTICIPATION AS A SB OR HBCU/MI IS TO BE IDENTIFIED AND WILL BE CONSIDERED IN EVALUATING SMALL BUSINESS UTILIZATION:



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(A) SUBFACTOR: PROPOSED SB UTILIZATION:

(i) THE OFFEROR IS TO PROVIDE NAMES, PRODUCTS/SERVICES AND ESTIMATED DOLLAR VALUE AND TYPE OF SB AND HBCU/MIs WHO WOULD PARTICIPATE IN THE PROPOSED CONTRACT IN THE FORMAT BELOW:

<u>SB TYPE</u>	<u>ESTIMATED \$ VALUE</u>	<u>PRODUCT/SERVICE</u>	<u>COMPANY NAME</u>
<u>TOTAL SB \$</u>			

(ii) LARGE BUSINESS AND FOREIGN OFFERORS, WHERE FAR 52.219.9 APPLIES, SHALL IDENTIFY THE TOTAL SUBCONTRACTING DOLLARS.

(B) SUBFACTOR: SMALL BUSINESS (SB) UTILIZATION PAST PERFORMANCE:

(i) ALL OFFERORS ARE TO PROVIDE A DETAILED DESCRIPTION OF THEIR METHODS USED TO PROMOTE AND UTILIZE SB OVER THE PAST THREE (3) YEARS AS PRESCRIBED BY FAR 52.219-8, INCLUDING:

(a) A DESCRIPTION AND AVAILABLE DOCUMENTATION OF THE METHODS EMPLOYED TO PROMOTE SB UTILIZATION; AND

(b) A DESCRIPTION OF THE INTERNAL METHODS USED TO MONITOR SMALL BUSINESS UTILIZATION.

(ii) LARGE BUSINESS AND FOREIGN OFFERORS SHALL DOCUMENT THEIR PERFORMANCE OVER THE PAST THREE (3) YEARS FOR SIMILAR WORK, AS PRESCRIBED BY FAR 52.219-9 "SMALL BUSINESS SUBCONTRACTING PLAN". THIS DOCUMENTATION SHALL INCLUDE THEIR ACTUAL PERFORMANCE IN UTILIZING SB AND HBCU/MI SUBCONTRACTING GOALS. THE DOCUMENTATION SHALL INCLUDE THE FINAL OR MOST RECENT STANDARD FORM (SF) 294 FOR EACH RELEVANT CONTRACT. IF THE LARGE BUSINESS PROPOSES SUBSTANTIALLY DIFFERENT SMALL BUSINESS UTILIZATION THAN EXPERIENCED ON SIMILAR WORK IN THE PAST, THEY MUST EXPLAIN HOW THEY WILL ACCOMPLISH THAT HIGHER/LOWER PROPOSED LEVEL. LARGE BUSINESS AND FOREIGN OFFERORS THAT HAVE NOT HAD A CONTRACT IN THE PAST THREE (3) YEARS INCORPORATING FAR CLAUSE 52.219-9, SHALL SO STATE.

E. FINANCIAL RESPONSIBILITY INFORMATION: THE FOLLOWING LIST OF INFORMATION TO BE SUBMITTED BY THE OFFEROR IS TO BE USED AS A GUIDELINE, HOWEVER, DEVIATION FROM THE FORMAT SPECIFIED BELOW WILL NOT BE CONSIDERED GROUNDS FOR DISQUALIFICATION FROM THE COMPETITION SO LONG AS THE INFORMATION PROVIDED CONSTITUTES A REASONABLE SUBSTITUTE:

(1) THE MOST RECENT THREE (3) YEARS OF FINANCIAL STATEMENTS (PREFERABLY AUDITED) OF SF 1407. NOTE THAT THE SUBMISSION OF UNAUDITED FINANCIAL STATEMENTS WILL DELAY THE EVALUATION PROCESS. THE GOVERNMENT WILL AUDIT ALL UNAUDITED FINANCIAL STATEMENTS:

(A) FINANCIAL STATEMENTS SHOULD INCLUDE, AT A MINIMUM, THE FOLLOWING FOR EACH COMPANY:

BALANCE SHEET;  
 INCOME STATEMENT;  
 STATEMENT OF CASH FLOWS;  
 FOOTNOTES TO THE FINANCIAL STATEMENTS; AND  
 COPY OF THE CERTIFIED PUBLIC ACCOUNTANT'S OPINION REGARDING THE FINANCIAL STATEMENTS SUBMITTED.

(B) A COPY OF THE CURRENT ANNUAL REPORT, AS AVAILABLE.

(2) ANY ADDITIONAL INFORMATION PROVIDED IN THE OFFEROR'S (INCLUDING PRIME AND/OR MAJOR SUBCONTRACTORS) SUBMISSION PACKAGE WILL BE CONSIDERED. EXAMPLES OF OTHER INFORMATION INCLUDE: CURRENT PART YEAR FINANCIAL STATEMENT, CURRENT OPEN CREDIT LINES, AND PRO FORMA FINANCIAL STATEMENTS FOR FUTURE YEARS. THIS INFORMATION WILL BE USED TO EVALUATE YOUR FIRM'S FINANCIAL CAPABILITIES RELATIVE TO RESPONSIBILITY;

(3) FINANCIAL STATEMENTS SHOULD PERTAIN TO THE BUSINESS UNIT(S) THAT WILL ACTUALLY BE PERFORMING THE WORK;

(4) IF THE COMPANY TO BE PERFORMING THE WORK IS A DIVISION OF A PARENT COMPANY WHERE THE PARENT COMPANY IS FINANCIALLY RESPONSIBLE FOR THE OPERATIONS OF THE DIVISION, AUDITED STATEMENTS FOR THE PARENT COMPANY WILL SUFFICE. IN THIS CASE, THE COMPANY SHOULD PROVIDE LEGAL DOCUMENTATION TO SUPPORT THE EXISTENCE OF SUCH A RELATIONSHIP;

(5) IF THE COMPANY TO BE PERFORMING THE WORK IS A SUBSIDIARY OF A PARENT COMPANY WHERE THE PARENT COMPANY IS NOT FINANCIALLY RESPONSIBLE FOR THE OPERATIONS OF THE SUBSIDIARY, AUDITED FINANCIAL STATEMENTS OF A PARENT COMPANY ARE GENERALLY NOT A SUFFICIENT SUBSTITUTE UNLESS ONE (1) OF TWO (2) CONDITIONS EXISTS:

(A) THE COMPANY OBTAINS, AND FURNISHES TO THE PROCURING CONTRACTING OFFICER, A WRITTEN SUPPLEMENT TO THE CERTIFIED PUBLIC ACCOUNTANTS FIRM'S EXISTING STATEMENT REGARDING THE PARENT COMPANY'S FINANCIAL STATEMENTS. THIS

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SUPPLEMENT SHOULD STATE CLEARLY THAT THE INDEPENDENT AUDITOR HAS REVIEWED THE SUBSIDIARY'S OR DIVISION'S FINANCIAL STATEMENTS AS SUBMITTED IN RESPONSE TO THIS REQUEST FOR PROPOSAL, AND HAS FOUND THEM TO BE AN ACCURATE REPRESENTATION OF THAT BUSINESS UNIT'S FINANCIAL CONDITION AS OF THE DATE OF THOSE STATEMENTS; AND

(B) THE PARENT COMPANY SUBMITS TO THE PROCURING CONTRACTING OFFICER A LETTER OF COMMITMENT, SIGNED BY AN OFFICIAL WITH THE AUTHORITY TO BIND THAT FIRM, STATING THAT THE PARENT COMPANY ASSUMES FINANCIAL RESPONSIBILITY FOR THE PERFORMANCE OF THE SUBSIDIARY OR SUBORDINATE COMPANY IN THE PERFORMANCE OF THIS CONTRACT.

(6) IF THE COMPANY TO BE PERFORMING THE WORK IS A JOINT VENTURE, LIMITED LIABILITY COMPANY OR SIMILAR TYPE OF ENTITY, THE COMPANY SHOULD SUBMIT THE FINANCIAL STATEMENTS OF ALL THE PARTICIPATING FIRMS. THIS INCLUDES ANY FINANCIAL STATEMENTS, PRO FORMA OR OTHERWISE, THAT EXIST FOR THE PERFORMING ENTITY. THE COMPANY SHOULD ALSO SUBMIT LEGAL DOCUMENTATION CLEARLY DISCLOSING THE CONDITIONS OF THE BUSINESS ARRANGEMENTS AND ATTENDANT FINANCIAL TERMS.

6. BASED UPON THE POTENTIAL FOR SIGNIFICANT SUBCONTRACTOR PERFORMANCE ASSOCIATED WITH AN OFFEROR'S TOTAL TNT SUPPLY PROPOSAL, WITH A CORRESPONDING GOVERNMENT REQUIREMENT TO POSSIBLY DISCUSS A PROSPECTIVE SUBCONTRACTOR'S PROPRIETARY INFORMATION, THE OFFEROR'S PROPOSAL SHALL INCLUDE A PROSPECTIVE SUBCONTRACTOR'S CONSENT RELATIVE TO THE GOVERNMENT'S DISCLOSURE OF ANY PROPRIETARY PERFORMANCE INFORMATION DIRECTLY TO THE OFFEROR. SAID CONSENT SHALL BE REQUIRED FOR THOSE PROSPECTIVE SUBCONTRACTORS AS REFERENCED IN ANY OF THE VOLUMES TO BE SUBMITTED AS PART OF AN OFFEROR'S PROPOSAL.

(END OF PROVISION)

\*\*\* END OF NARRATIVE L 003 \*\*\*

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SECTION M - EVALUATION FACTORS FOR AWARD

For Local Clauses See: <http://www.osc.army.mil/ac/aais/ioc/clauses/index.htm>

<u>Status</u> <u>Regulatory Cite</u>	<u>Title</u>	<u>Date</u>
M-1 CHANGED 15.204-5(C)	SECTION M, EVALUATION FACTORS FOR AWARD	OCT/1997

1. AWARD OF THE FIVE (5) YEAR, MULTI-YEAR OR MULTIPLE-YEAR INDEFINITE DELIVERY/INDEFINITE QUANTITY CONTRACT FOR TRINITROTOLUENE (TNT) SHALL BE EFFECTED TO THAT OFFEROR WHOSE PROPOSAL IS DETERMINED TO PROVIDE THE BEST VALUE TO THE GOVERNMENT, ALL FACTORS TAKEN INTO CONSIDERATION. THE EVALUATION CRITERIA TO BE EMPLOYED SHALL INCLUDE THOSE FACTORS AS DESCRIBED BELOW. IT IS THE OFFEROR'S RESPONSIBILITY TO SUBMIT INFORMATION AND EVIDENCE WITH THEIR PROPOSAL THAT CLEARLY DEMONSTRATES ITS ABILITY TO SATISFACTORILY PERFORM THE CONTRACT REQUIREMENTS. OFFERORS ARE ADVISED THAT A PROPOSAL CONTAINING AN UNREALISTICALLY LOW PRICE COULD BE DEEMED INDICATIVE OF AN OFFER THAT LACKS A TECHNICAL UNDERSTANDING AND/OR FAILURE TO COMPREHEND THE COMPLEXITY AND RISKS ASSOCIATED WITH ANY SUBSEQUENT CONTRACT, AND CONSEQUENTLY, MAY MAKE THE PROPOSAL UNACCEPTABLE FOR AWARD. THE GOVERNMENT RESERVES THE RIGHT TO MAKE NO AWARD AS A RESULT OF THE SOLICITATION IF, UPON EVALUATION, NONE OF THE PROPOSALS ARE DEEMED LIKELY TO MEET THE MANAGEMENT/TECHNICAL REQUIREMENTS AT AN ACCEPTABLE LEVEL OF RISK AND/OR PRICE.

2. UPON COMPLETION OF THE EVALUATION, A TRADE-OFF PROCESS SHALL BE CONDUCTED TO DETERMINE WHICH PROPOSAL PROVIDES THE BEST VALUE TO THE GOVERNMENT. FOR PURPOSES OF THIS TRADE-OFF PROCESS, THE RELATIVE WEIGHT/IMPORTANCE OF THE FACTORS AND CORRESPONDING SUBFACTORS SHALL BE AS FOLLOWS:

A. FACTORS: THE MANAGEMENT/TECHNICAL FACTOR IS SIGNIFICANTLY MORE IMPORTANT THAN COST/PRICE FACTOR AND PAST PERFORMANCE FACTOR, WHICH ARE OF EQUAL IMPORTANCE, AND INDIVIDUALLY, ARE SIGNIFICANTLY MORE IMPORTANT THAN SMALL BUSINESS (SB) UTILIZATION FACTOR. ALL EVALUATION FACTORS OTHER THAN COST/PRICE, WHEN COMBINED, ARE SIGNIFICANTLY MORE IMPORTANT THAN COST/PRICE.

B. MANAGEMENT/TECHNICAL SUBFACTORS: THE VIRGIN TNT FROM A NATIONAL TECHNOLOGY AND INDUSTRIAL BASE (NTIB) FACILITY SUBFACTOR IS SIGNIFICANTLY MORE IMPORTANT THAN THE RECLAIMED TNT SUBFACTOR, WHICH IS SIGNIFICANTLY MORE IMPORTANT THAN THE PROGRAM MANAGEMENT PLAN SUBFACTOR, WHICH IS SIGNIFICANTLY MORE IMPORTANT THAN THE VIRGIN TNT FROM A FOREIGN SOURCE SUBFACTOR. THOSE ELEMENTS SPECIFIED WITHIN THE VIRGIN TNT FROM A NTIB FACILITY SUBFACTOR AND RECLAIMED TNT SUBFACTOR ARE OF EQUAL IMPORTANCE. OFFERORS SHOULD NOTE THAT IN THE EVALUATION OF THE MERITS OF THESE PLANS, THE GOVERNMENT WILL RATE MORE FAVORABLY THOSE PLANS WHICH OPTIMIZE RECLAMATION EFFORTS VICE SUPPLY OF FOREIGN-PRODUCED TNT, AND THOSE PLANS WHICH OPTIMIZE THE FLEXIBILITY OF THE NTIB FACILITY TO PRODUCE OTHER ENERGETIC MATERIALS;

C. PAST PERFORMANCE SUBFACTORS: THE SUBFACTORS OF ON-TIME DELIVERY AND QUALITY ARE OF EQUAL IMPORTANCE, AND INDIVIDUALLY, ARE SIGNIFICANTLY MORE IMPORTANT THAN CUSTOMER SATISFACTION; AND

D. SMALL BUSINESS (SB) UTILIZATION PLAN SUBFACTORS: THE SUBFACTORS OF PROPOSED SB UTILIZATION AND SB UTILIZATION PAST PERFORMANCE ARE OF EQUAL IMPORTANCE;

3. THE FOLLOWING EVALUATION FACTORS SHALL BE EMPLOYED IN SUPPORT OF AN AWARD DECISION:

A. FACTOR: MANAGEMENT/TECHNICAL PLAN:

THERE ARE FOUR (4) SUBFACTORS IN THE MANAGEMENT/TECHNICAL AREA. THE OFFEROR SHALL BE GIVEN AN OVERALL MANAGEMENT/TECHNICAL FACTOR RATING BASED UPON THE INDEPENDENT RATINGS FOR EACH SUBFACTOR. THE FOUR (4) SUBFACTORS ARE:

- (1) SUBFACTOR: PROGRAM MANAGEMENT PLAN;
- (2) SUBFACTOR: VIRGIN TNT FROM A NTIB FACILITY:
  - (A) ELEMENT: OVERALL PLAN FOR ESTABLISHING FACILITY;
  - (B) ELEMENT: PROCESS TO BE EMPLOYED; AND
  - (C) ELEMENT: PROCESS QUALITY CONTROL.
- (3) SUBFACTOR: RECLAIMED TNT:
  - (A) ELEMENT: OVERALL RECLAMATION PLAN;
  - (B) ELEMENT: PROCESS TO BE EMPLOYED; AND
  - (C) ELEMENT: PROCESS QUALITY CONTROL.

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(4) SUBFACTOR: VIRGIN TNT FROM A FOREIGN SOURCE.

B. FACTOR: COST/PRICE:

(1) PRICE ANALYSIS SHALL BE USED TO DETERMINE: (A) PRICE REASONABLENESS; AND (B) WHETHER THE PROPOSAL REFLECTS AN UNDERSTANDING OF THE AGGREGATE EFFORT REQUIRED. ADDITIONAL ANALYSES TECHNIQUES MAY BE USED AS DETERMINED NECESSARY BY THE PROCURING CONTRACTING OFFICER. THESE METHODS OF EVALUATION MAY INCLUDE THE USE OF INFORMATION/INPUT FROM SOURCES SUCH AS (BUT NECESSARILY LIMITED TO) OTHER GOVERNMENT AGENCIES AND PERSONNEL. AS PART OF THE EVALUATION, PROPOSALS SHALL BE REVIEWED TO IDENTIFY ANY SIGNIFICANT UNBALANCED PRICING. IN ACCORDANCE WITH FAR 15.404-1(g), I.E. UNBALANCED PRICING, A PROPOSAL MAY BE REJECTED IF THE CONTRACTING OFFICER DETERMINES THE LACK OF BALANCE POSES AN UNACCEPTABLE RISK TO THE GOVERNMENT;

(2) THE TOTAL EVALUATED PRICE WILL BE DERIVED FROM THE PRICING MODEL, I.E. TNT PRICING TEMPLATE, AS INCORPORATED AT ATTACHMENT 027 OF THE SOLICITATION - SEE SECTION J. FOR BOTH PRICING APPROACHES, THIS PRICE IS IDENTIFIED AS "EVALUATED AGGREGATE PRICE PER LB (ALL RANGES/ALL YEARS)" IN THE MODEL. DEVELOPMENT OF THIS NUMBER IS DESCRIBED IN STEP NUMBERS 1 THROUGH 22 OF THE MULTI-YEAR PRICING MODEL INSTRUCTIONS AND STEP NUMBERS 1 THROUGH 21 OF THE MULTIPLE YEAR PRICING MODEL INSTRUCTIONS AS SPECIFIED AT ATTACHMENT 028 - SEE SECTION J. AS COMPLETED WITHIN THE PRICING MODEL, THIS PRICE IS DEVELOPED BY ADJUSTING THE PROPOSED PRICING FOR THOSE EVALUATION FACTORS AS IDENTIFIED IN THE SOLICITATION. THESE EVALUATION FACTORS ARE AS FOLLOWS: (A) COST OF FIRST ARTICLE TESTING (UPWARD ADJUSTMENT); (B) A TRANSPORTATION EVALUATION FACTOR ASSOCIATED WITH THE MOVEMENT OF GOVERNMENT-FURNISHED MATERIAL (GFM) (UPWARD ADJUSTMENT); (C) DUTY-FREE ENTRY EVALUATION (DOWNWARD ADJUSTMENT); (D) AN EVALUATION FACTOR ASSOCIATED WITH THE RENT-FREE USAGE OF GOVERNMENT-OWNED EQUIPMENT (UPWARD ADJUSTMENT); AND (E) AN EVALUATION FACTOR ASSOCIATED WITH THE PROPOSED USAGE OF GFM (DOWNWARD ADJUSTMENT). THESE ADJUSTMENTS ARE MADE IN THE PRICING MODEL AND REQUIRE INPUT BY THE OFFEROR FOR FIRST ARTICLE TESTING, RENT-FREE GOVERNMENT-FURNISHED EQUIPMENT (GFE) USAGE, AND RECLAMATION, AS DESCRIBED IN THE PRICING MODEL INSTRUCTIONS;

(3) AFTER DETERMINATION OF PRICE REASONABLENESS FOR EACH OFFEROR'S MULTI-YEAR AND MULTIPLE YEAR PRICING APPROACHES, A COMPARISON WILL BE COMPLETED BETWEEN THE TWO (2) APPROACHES USING PRESENT VALUE ANALYSIS. THE RESULTS OF THIS ANALYSIS FOR EACH OFFEROR WILL BE USED IN MAKING THE BEST VALUE AWARD DECISION;

(4) THE PRICES, I.E. MULTI-YEAR AND MULTIPLE YEAR, FOR USE IN THE PRICING OUTCOME COMPARISON WILL BE DERIVED FROM THE PRICING MODEL, I.E. ATTACHMENT 027 - TNT PRICING TEMPLATE. FOR THE MULTI-YEAR PRICING APPROACH, THIS PRICE IS IDENTIFIED AS "COMPOSITE PRICE PER LB (ALL RANGES)". DEVELOPMENT OF THIS NUMBER IS DESCRIBED IN STEP NUMBERS 1 THROUGH 12 OF THE MULTI-YEAR INSTRUCTIONS. FOR THE MULTIPLE YEAR PRICING APPROACH, THIS PRICE IS IDENTIFIED AS "COMPOSITE YEARLY PRICE PER LB (ALL RANGES)". DEVELOPMENT OF THIS NUMBER IS DESCRIBED IN STEP NUMBERS 1 THROUGH 11 OF THE MULTIPLE YEAR INSTRUCTIONS;

(5) FOR DEVELOPMENT OF THE TOTAL EVALUATED PRICES (FOR BOTH PRICING APPROACHES) AND FOR THE DEVELOPMENT OF THE PRICES FOR THE MULTI-YEAR VERSUS MULTIPLE YEAR PRICING OUTCOME COMPARISON, EVALUATION POINTS FROM 4,000,000 LBS TO 15,000,000 LBS, AT 1,000,000 LBS INCREMENTS, SHALL BE EMPLOYED; AND

(6) IF THE GOVERNMENT DETERMINES BEFORE AWARD THAT ONLY THE FIRST PROGRAM YEAR REQUIREMENTS ARE NEEDED, THE EVALUATION OF PRICE WILL ONLY CONSIDER THE FIRST YEAR OF THE MULTIPLE YEAR PRICING APPROACH. AS STATED IN SECTION A OF THE SOLICITATION, AWARD WILL NOT BE MADE ON LESS THAN THE FIRST PROGRAM YEAR REQUIREMENTS.

C. FACTOR: PAST PERFORMANCE:

(1) INFORMATION TO BE PROVIDED BY THE OFFEROR WITH REGARD TO ITS RECENT, RELEVANT PAST PERFORMANCE WILL BE EVALUATED. OTHER SOURCES AVAILABLE TO THE GOVERNMENT OTHER THAN THE OFFEROR'S PROPOSAL WILL BE UTILIZED TO GATHER INFORMATION AND EVALUATE THE PREDETERMINED FACTORS. SOURCES SUCH AS, BUT NOT LIMITED TO, INFORMATION OBTAINED THROUGH INTERFACE WITH THE PPIMS AND/OR CPARS SYSTEMS, CONTRACTING, ADMINISTRATIVE AND PRE-AWARD OFFICES AT OTHER DoD LOCATIONS, PAST CUSTOMERS, AND PREVIOUS CONTRACTING OFFICIALS, COULD BE EMPLOYED FOR PURPOSES OF GATHERING INFORMATION;

(2) FOR PURPOSES OF THIS EVALUATION, "RECENT" SHALL BE DEFINED AS OCCURRING WITHIN THE LAST THREE (3) YEARS PRIOR TO THE SOLICITATION'S INITIAL CLOSING DATE, AND THAT TIME THAT TRANSPIRES BETWEEN THE SOLICITATION'S INITIAL CLOSING DATE AND THE DATE OF AWARD;

(3) FOR PURPOSES OF THIS EVALUATION, "RELEVANT" SHALL BE DEFINED AS HAVING PRODUCED/SUPPLIED THE SAME OR SIMILAR ITEMS WITHIN FEDERAL SUPPLY CLASS (FSC) 1376, REQUIRING THE SAME OR SIMILAR MANUFACTURING PROCESSES, SKILLS AND ABILITIES; AND

(4) THERE ARE THREE (3) SUBFACTORS IN THE AREA OF PAST PERFORMANCE, I.E. ON-TIME DELIVERY, QUALITY AND CUSTOMER SATISFACTION. THE OFFEROR SHALL BE GIVEN AN OVERALL RATING WITH RESPECT TO PAST PERFORMANCE BASED UPON THE RATINGS FROM EACH SUBFACTOR. IN DEVELOPING THE OVERALL RATING, THE SUBFACTORS OF ON-TIME DELIVERY AND QUALITY ARE OF EQUAL IMPORTANCE, AND INDIVIDUALLY, ARE SIGNIFICANTLY MORE IMPORTANT THAN CUSTOMER SATISFACTION. THESE SUBFACTORS ARE FURTHER DESCRIBED AS FOLLOWS:

(A) SUBFACTOR: ON-TIME DELIVERY: THE OFFEROR WILL BE RATED BASED UPON ITS RECORD OF ON-TIME DELIVERY. INFORMATION TO BE PROVIDED BY THE OFFEROR WITH REGARD TO ITS RECENT, RELEVANT CONTRACTS WILL BE EVALUATED. THE OFFEROR MUST IDENTIFY AND PROVIDE INFORMATION ON DELIVERIES MADE, DELIVERIES SCHEDULED TO BE MADE, AND DELIVERIES RE-SCHEDULED TO BE MADE, DURING THE PERIOD OF RECENT

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PAST PERFORMANCE. PROVIDE ALL SUPPORTING DATA FOR VERIFICATION PURPOSES CONCERNING ALL OF THE FOREGOING-MENTIONED DELIVERIES EVEN THOUGH THE SUPPORTING INFORMATION MAY PRECEDE THE STATED PERIOD OF RECENT PAST PERFORMANCE;

(B) SUBFACTOR: QUALITY: THE OFFEROR WILL BE RATED BASED UPON ITS RECORD OF QUALITY ASSURANCE. INFORMATION TO BE PROVIDED BY THE OFFEROR WITH REGARD TO ITS RECENT, RELEVANT CONTRACTS WILL BE EVALUATED. EVIDENCE OF QUALITY AWARDS AND/OR QUALITY CERTIFICATIONS PRESENTED TO THE OFFEROR CAN BE SUBMITTED FOR CONSIDERATION. IN THE EVENT THAT INDICATION OF ANY QUALITY PROBLEMS ARE FOUND, THE OFFEROR'S PROCESS TO IMPROVE PRODUCT QUALITY WILL BE EVALUATED. THE OFFEROR WILL BE REQUIRED TO SUBMIT DATA EXPLAINING CORRECTIVE ACTION(S) IT HAS TAKEN TO IMPROVE ITS PROCESS AND/OR RESOLVE QUALITY PROBLEMS. THE OFFEROR WILL BE REQUIRED TO DISCLOSE INFORMATION ABOUT REQUEST FOR WAIVERS (RFWs), REQUEST FOR DEVIATIONS (RFDs), QUALITY DEFICIENCY REPORTS (QDRs), FIRST ARTICLE TEST (FAT) FAILURES, LOT ACCEPTANCE TEST (LAT) FAILURES, AND/OR OTHER PRODUCT QUALITY OF QUALITY PROGRAM-RELATED PROBLEMS. THE OFFEROR'S SUBMISSION MUST BE CLEAR AND CONCISE WHEN DESCRIBING ANY DEFICIENCY, STATING THE CORRECTIVE ACTION AND WHEN IT WAS IMPLEMENTED. THE GOVERNMENT WILL EVALUATE ALL QUALITY ISSUES IT DISCOVERS DURING THE PERIOD OF "RECENT PAST PERFORMANCE", REGARDLESS OF WHEN ACTUAL DELIVERY WAS MADE; AND

(C) SUBFACTOR: CUSTOMER SATISFACTION: THE GOVERNMENT WILL INITIATE CONTACT WITH THOSE INDIVIDUALS IDENTIFIED IN THE OFFEROR'S PAST PERFORMANCE INFORMATION FOR PURPOSES OF ASSESSING THEIR OVERALL SATISFACTION WITH THE OFFEROR. RATINGS SHALL BE ASSIGNED BASED UPON THE THOSE RESPONSES TO QUESTIONNAIRES THAT WILL BE DISTRIBUTED AND THROUGH THE CONDUCT OF TELEPHONE INTERVIEWS WITH SELECTED INDIVIDUALS. THE GOVERNMENT RESERVES THE RIGHT TO DETERMINE TO WHOM AND FOR WHICH CONTRACTS QUESTIONNAIRES WILL BE SENT AND TELEPHONE INTERVIEWS CONDUCTED TO ASSURE THAT A FAIR SAMPLING OF PAST PERFORMANCE IS CONSIDERED.

D. FACTOR: SMALL BUSINESS (SB) UTILIZATION PLAN:

(1) THE GOVERNMENT WILL EVALUATE ALL OFFEROR'S, I.E. SB, LARGE BUSINESSES AND FOREIGN, PROPOSED UTILIZATION OF SB, SMALL DISADVANTAGED BUSINESS (SDB), WOMEN-OWNED SMALL BUSINESS (WOSB), VETERAN-OWNED SMALL BUSINESS (VOSB), SERVICE DISABLED VETERAN-OWNED SMALL BUSINESS (SDVOSB), HISTORICALLY UNDERUTILIZED BUSINESS ZONE SMALL BUSINESS (HUBZONE), HEREINAFTER ALL TO BE REFERRED TO AS SB, AND HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS (HBCU/MIs);

(2) FOR SBs, AS IDENTIFIED BY THE SIZE STANDARD FOR THE NORTH AMERICA INDUSTRY CLASSIFICATION SYSTEM (NAICS) APPLICABLE TO THIS SOLICITATION, THE OFFEROR'S OWN PARTICIPATION AS A SB OR HBCU/MI IS TO BE IDENTIFIED AND WILL BE CONSIDERED IN EVALUATING SMALL BUSINESS UTILIZATION; AND

(3) THE GOVERNMENT WILL EVALUATE THE FOLLOWING:

(A) PROPOSED SB UTILIZATION: THE GOVERNMENT WILL EVALUATE THE EXTENT TO WHICH AN OFFEROR IDENTIFIES AND COMMITS TO UTILIZING SB AND HBCU/MI IN THE PERFORMANCE OF THE PROPOSED CONTRACT. SUCH UTILIZATION MAY BE AS THE CONTRACTOR, A SUBCONTRACTOR, OR AS A MEMBER OF A JOINT VENTURE OR TEAMING ARRANGEMENT. THESE ELEMENTS ARE:

(i) COMPLEXITY OF SPECIFIC PRODUCTS OR SERVICES THAT WILL BE PROVIDED BY THOSE SBs AND HBCU/MIs;

(ii) ESTIMATED DOLLAR AMOUNT OF EACH OF THE SB CATEGORIES AND HBCU/MIs; AND

(iii) PROPOSED SB UTILIZATION BY LARGE BUSINESS AND FOREIGN OFFERORS WILL BE COMPARED TO THEIR HISTORICAL PERCENTAGES ON SIMILAR CONTRACTS TO DETERMINE REALISM.

(B) SMALL BUSINESS (SB) UTILIZATION PAST PERFORMANCE: THE GOVERNMENT WILL EVALUATE THE OFFEROR'S ACTUAL PERFORMANCE IN ACHIEVING THE PROPOSED SB UTILIZATION ON PREVIOUS, SIMILAR CONTRACTS. THIS EVALUATION WILL INCLUDE AN ASSESSMENT OF:

(i) THE OFFEROR'S PERFORMANCE OVER THE PAST THREE (3) YEARS AS PRESCRIBED BY THE FEDERAL ACQUISITION REGULATION (FAR) CLAUSE 52.219-8, "UTILIZATION OF SMALL BUSINESS CONCERNS". SMALL BUSINESSES (SBs) AND HBCU/MIs ARE REMINDED TO INCLUDE THEIR OWN PERFORMANCE ON THEIR CONTRACTS;

(ii) FOR LARGE BUSINESS AND FOREIGN OFFERORS, THEIR PERFORMANCE OVER THE PAST THREE (3) YEARS AS PRESCRIBED BY FAR 52.219-9, "SMALL BUSINESS SUBCONTRACTING PLAN". THIS INCLUDES EVALUATION OF THE OFFEROR'S ACTUAL PERFORMANCE IN MEETING SB AND HBCU/MI SUBCONTRACTING GOALS. LARGE BUSINESSES AND FOREIGN OFFERORS THAT HAVE NOT HELD A CONTRACT IN THE PAST THREE (3) YEARS THAT INCLUDED FAR 52.219-9, WILL BE EVALUATED AGAINST FAR 52.219-8 ONLY; AND

(iii) OFFEROR'S ACTUAL SB UTILIZATION PAST PERFORMANCE WILL BE THE BASIS FOR DETERMINING THE REALISM OF THEIR PROPOSED SMALL BUSINESS UTILIZATION.

(C) A RATING WILL BE ASSIGNED TO EACH OFFEROR'S (SB, LARGE BUSINESS OR FOREIGN) PROPOSAL. THIS RATING CONSIDERS BOTH THE PROPOSED SB UTILIZATION AND THE LIKELIHOOD OF ATTAINING THAT PARTICIPATION LEVEL BASED ON THE SB UTILIZATION PAST PERFORMANCE. OFFEROR'S THAT HAVE: (i) NO EXPERIENCE OVER THE PAST THREE (3) YEARS USING SBs AND/OR HBCU/MIs, AND (ii) NO CONTRACTUAL PERFORMANCE OVER THE PAST THREE (3) YEARS WHICH REQUIRED COMPLIANCE WITH FAR 52.219-8 or FAR 52.219-9 WILL BE TREATED NEITHER FAVORABLY NOR UNFAVORABLY.

E. FINANCIAL RESPONSIBILITY INFORMATION: A DETERMINATION RELATIVE TO THE FINANCIAL RESPONSIBILITY OF THE OFFEROR WILL BE COMPLETED

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DURING THE SOURCE SELECTION PROCESS. AN OFFEROR THAT IS DETERMINED TO BE "UNACCEPTABLE" FINANCIALLY WILL BE INELIGIBLE FOR AWARD. IF A SMALL BUSINESS OFFEROR RECEIVES A FINAL DETERMINATION OF "UNACCEPTABLE" AND THEY CHOOSE TO OBTAIN A CERTIFICATE OF COMPETENCY (CoC) THROUGH THE UNITED STATES SMALL BUSINESS ADMINISTRATION, THEY ARE CAUTIONED THAT THIS IN AND OF ITSELF DOES NOT ENSURE SELECTION AS THE SUCCESSFUL OFFEROR. RECEIPT OF A CoC MAY CONVERT A SMALL BUSINESS' FINANCIAL RESPONSIBILITY RATING FROM "UNACCEPTABLE" TO "ACCEPTABLE", HOWEVER, THE SELECTION OF THE OFFEROR THAT REPRESENTS THE BEST VALUE TO THE GOVERNMENT WILL BE BASED UPON AN ASSESSMENT OF THE EVALUATION FACTORS LISTED IN THIS SOLICITATION AND THE RESULTS OF THE DETERMINATION OF RESPONSIBILITY;

4. THE NON-PRICE FACTORS AND SUBFACTORS AS IDENTIFIED ABOVE SHALL EACH BE RATED AS FOLLOWS:

A. FACTOR: MANAGEMENT/TECHNICAL PLAN:

EXCELLENT: PROPOSAL DEMONSTRATES AN EXCELLENT UNDERSTANDING OF REQUIREMENTS AND APPROACH THAT SIGNIFICANTLY EXCEEDS PERFORMANCE OR CAPABILITY STANDARDS. EXCEPTIONAL STRENGTHS THAT WILL SIGNIFICANTLY BENEFIT THE GOVERNMENT. EVIDENCE PROVIDED VALIDATES THE EFFECTIVENESS OF THE STATED APPROACH AND BENEFITS. NO SIGNIFICANT WEAKNESSES IDENTIFIED. LOW RISK OF FAILURE;

GOOD: PROPOSAL DEMONSTRATES A GOOD UNDERSTANDING OF REQUIREMENTS AND APPROACH THAT EXCEEDS PERFORMANCE OR CAPABILITY STANDARDS. STRENGTHS IDENTIFIED THAT WILL BENEFIT THE GOVERNMENT. EVIDENCE PROVIDED INDICATES THAT THE STATED APPROACH WILL BE SUCCESSFUL AND THAT THE STATED BENEFITS WILL BE ATTAINED. WEAKNESSES MAY EXIST BUT THEY ARE READILY CORRECTABLE OR CAPABLE OF BEING RESOLVED WITHOUT SUBSTANTIAL IMPACT ON PROGRAM REQUIREMENTS. MODERATE LOW RISK OF FAILURE;

SATISFACTORY: PROPOSAL DEMONSTRATES ACCEPTABLE UNDERSTANDING OF REQUIREMENTS AND APPROACH THAT MEETS PERFORMANCE OR CAPABILITY STANDARDS. FEW OR NO STRENGTHS. ACCEPTABLE SOLUTION. WEAKNESSES MAY EXIST BUT THEY ARE CORRECTABLE OR CAPABLE OF BEING RESOLVED WITH ONLY A MODERATE IMPACT ON PROGRAM REQUIREMENTS. MODERATE RISK OF FAILURE;

POOR: PROPOSAL DEMONSTRATES SHALLOW UNDERSTANDING OF REQUIREMENTS AND APPROACH THAT ONLY marginally MEETS PERFORMANCE OR CAPABILITY STANDARDS NECESSARY FOR MINIMAL BUT ACCEPTABLE CONTRACT PERFORMANCE. SIGNIFICANT WEAKNESSES EXIST WHICH WOULD REQUIRE A MAJOR PROPOSAL REVISION IN SEVERAL CRITICAL FACTORS AND COULD SUBSTANTIALLY IMPACT PROGRAM REQUIREMENTS. HIGH RISK OF FAILURE;

VERY POOR: LACK OF UNDERSTANDING OR OMISSION OF KEY GOVERNMENT REQUIREMENTS. DEFICIENCIES, SIGNIFICANT WEAKNESSES AND/OR OMISSIONS EXIST WHICH WILL REQUIRE A MAJOR REVISION TO THE PROPOSAL TO MAKE IT ACCEPTABLE. VERY HIGH RISK OF FAILURE.

B. FACTOR: PAST PERFORMANCE:

LOW PERFORMANCE RISK: LITTLE DOUBT EXISTS, BASED ON THE OFFEROR'S PERFORMANCE RECORD, THAT THE OFFEROR WILL SUCCESSFULLY PERFORM THE REQUIRED EFFORT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CONTRACT;

MODERATE PERFORMANCE RISK: SOME DOUBT EXISTS, BASED ON THE OFFEROR'S PERFORMANCE RECORD, THAT THE OFFEROR WILL SUCCESSFULLY PERFORM THE REQUIRED EFFORT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CONTRACT;

HIGH PERFORMANCE RISK: SIGNIFICANT DOUBT EXISTS, BASED ON THE OFFEROR'S PERFORMANCE RECORD, THAT THE OFFEROR WILL SUCCESSFULLY PERFORM THE REQUIRED EFFORT IN ACCORDANCE WITH THE TERMS AND CONDITIONS OF THE CONTRACT;

NEUTRAL PERFORMANCE RISK: NO RECENT, RELEVANT PAST PERFORMANCE RECORD IS IDENTIFIABLE. A THOROUGH SEARCH WAS UNABLE TO IDENTIFY PAST PERFORMANCE INFORMATION FOR THE OFFEROR OR PROPOSED SUBCONTRACTORS. THE OFFEROR WILL NOT BE EVALUATED FAVORABLY OR UNFAVORABLY ON PAST PERFORMANCE.

C. FACTOR: SMALL BUSINESS (SB) UTILIZATION:

EXCELLENT: PROPOSAL INCLUDES A SUBSTANTIAL PORTION OF WORK, IN TERMS OF THE COMPLEXITY OF WORK PERFORMED BY SBs, THE TOTAL PROPOSED DOLLAR VALUE FOR WORK TO BE PERFORMED BY SBs, AND THE SUBCONTRACTING GOALS (FOR LARGE BUSINESSES AND FOREIGN OFFERORS ONLY) THAT MEET OR EXCEED 23% OF THE WORK TO BE PERFORMED IN THE SB OR HBCU/MI SECTOR. BASED ON THE OFFEROR'S PROPOSED SB UTILIZATION AND SB UTILIZATION PAST PERFORMANCE, THE OFFEROR'S PROPOSED UTILIZATION AND/OR ACTIONS ARE SUBSTANTIAL AND ARE CONSIDERED VERY REALISTIC (VERY LOW RISK);

GOOD: PROPOSAL INCLUDES A SIGNIFICANT PORTION OF WORK, IN TERMS OF THE COMPLEXITY OF WORK TO BE PERFORMED BY SBs, THE TOTAL PROPOSED DOLLAR VALUE FOR WORK TO BE PERFORMED BY SBs, AND THE SUBCONTRACTING GOALS (FOR LARGE BUSINESSES ONLY AND FOREIGN OFFERORS ONLY) THAT HAVE 18% - 22% OF THE WORK TO BE PERFORMED IN THE SB OR HBCU/MI SECTOR. BASED ON THE OFFEROR'S PROPOSED SB UTILIZATION PAST PERFORMANCE, THE OFFEROR'S PROPOSED UTILIZATION AND/OR ACTIONS ARE SIGNIFICANT AND ARE CONSIDERED VERY REALISTIC (LOW RISK);

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SATISFACTORY: PROPOSAL INCLUDES A REASONABLE PORTION OF WORK, IN TERMS OF THE COMPLEXITY OF WORK TO BE PERFORMED BY SBs, THE TOTAL PROPOSED DOLLAR VALUE FOR WORK TO BE PERFORMED BY SBs, AND THE SUBCONTRACTING GOALS (FOR LARGE BUSINESSES ONLY AND FOREIGN OFFERORS ONLY) THAT HAVE 13% - 17% OF THE WORK TO BE PERFORMED IN THE SB OR HBCU/MI SECTOR. BASED ON THE OFFEROR'S PROPOSED SB UTILIZATION AND SB UTILIZATION PAST PERFORMANCE, THE OFFEROR'S PROPOSED UTILIZATION AND/OR ACTIONS ARE ADEQUATE AND COULD BE MET IF THE OFFEROR FOCUSES ATTENTION ON THEM (MODERATE RISK);

POOR: PROPOSAL INCLUDES A MINIMAL PORTION OF WORK, IN TERMS OF THE COMPLEXITY OF WORK TO BE PERFORMED BY SBs, THE TOTAL PROPOSED DOLLAR VALUE FOR WORK TO BE PERFORMED BY SBs, AND THE SUBCONTRACTING GOALS (FOR LARGE BUSINESSES ONLY AND FOREIGN OFFERORS ONLY) THAT HAVE 8% - 12% OF THE WORK TO BE PERFORMED IN THE SB OR HBCU/MI SECTOR. BASED ON THE OFFEROR'S PROPOSED SB UTILIZATION AND/OR SB UTILIZATION PAST PERFORMANCE, THERE IS LITTLE LIKELIHOOD THAT MORE THAN A MINIMAL PORTION OF THE WORK WILL BE PERFORMED IN THIS SECTOR (HIGH RISK);

VERY POOR: THE OFFEROR DEMONSTRATES LITTLE OR NO COMMITMENT TO USING SBs AND HBCU/MIs. THERE IS NO EVIDENCE THAT THE OFFEROR MET PRIOR GOALS AND/OR SHOWS NO SERIOUS COMMITMENT AND DID NOT PROVIDE ADEQUATE JUSTIFICATION FOR NOT DOING SO. BASED ON THE PROPOSED SB UTILIZATION AND/OR SB UTILIZATION PAST PERFORMANCE, THERE IS NEGLIGIBLE LIKELIHOOD THAT ANYTHING OTHER THAN A TOKEN PORTION OF THE WORK WILL BE PERFORMED IN THIS SECTOR (VERY HIGH RISK).

5. THE FOLLOWING RATINGS SHALL BE USED WHEN DETERMINING THE FINANCIAL RESPONSIBILITY OF OFFERORS:

ACCEPTABLE: THE CONTRACTOR'S FINANCIAL CONDITION, AS REPRESENTED IN ITS RESPONSE TO SECTION L, CLAUSE NUMBER L-20 OF THIS REQUEST FOR PROPOSAL (RFP), DEMONSTRATES SUFFICIENT FINANCIAL RESOURCES TO COMPLETE THE INTENDED EFFORT, OR IN THE CASE OF A SMALL BUSINESS WHOM HAS REQUESTED ASSISTANCE FROM THE UNITED STATES SMALL BUSINESS ADMINISTRATION, RECEIPT OF A CERTIFICATE OF COMPETENCY; OR

UNACCEPTABLE: THE CONTRACTOR'S FINANCIAL CONDITION, AS REPRESENTED IN ITS RESPONSE TO SECTION L, CLAUSE NUMBER L-20 OF THIS RFP, DEMONSTRATES INSUFFICIENT FINANCIAL RESOURCES TO COMPLETE THE INTENDED EFFORT.

(End of Provision)

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